

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

VADELL C. JOHNSON

PLAINTIFF

V.

NO. 4:15CV23-DMB-DAS

SHERIFF KELVIN WILLIAMS, ET AL.

DEFENDANTS

**ORDER *DENYING* PLAINTIFF'S MOTION [83] FOR DISCOVERY,
DENYING PLAINTIFF'S MOTION [90] TO HOLD SUMMARY JUDGMENT
PROCEEDINGS IN ABEYANCE**

The plaintiff has filed a motion to conduct discovery in the present case proceeding under 42 U.S.C. § 1983 challenging the conditions of his confinement. The plaintiff is currently incarcerated in Unit 720 at the Central Mississippi Correctional Facility. Discovery in *pro se* prisoner conditions of confinement cases is limited to that set forth in the court's scheduling order. In this case, the discovery deadline has expired. The relevant facts in this case do not appear to be in dispute, as shown by the evidence the defendants have submitted with their pending motion for summary judgment. The parties agree on the events and the timeline; they differ, however, on the legal implications of those facts. For these reasons, the plaintiff has not provided sufficient justification for discovery beyond the limits set forth in that order. As such, he is not entitled to conduct discovery at this time, and the motion [83] is **DENIED**. In light of this ruling, the plaintiff's motion [90] to hold summary judgment proceedings in abeyance until the defendants respond to his discovery requests is also **DENIED**.

SO ORDERED, this, the 18th day of July, 2019.

/s/ David A. Sanders

DAVID A. SANDERS

UNITED STATES MAGISTRATE JUDGE